IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 1ST OCTOBER 2007 / 9TH ASWINA 1929

WP(C).No. 15690 of 2007(P)

PETITIONER:

M.A.MOHAMMED ALI, S/O.ABOOBACKER HAJI,
MUNDAMKULAM HOUSE, THALANGARA WEST P.O.,
THALANGARA, KASARGODE.

BY ADV. SRI.P.VIJAYA BHANU
SMT.K.S.CHANDRIKA

RESPONDENTS:

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1. GOVERNMENT OF KERALA, REPRESENTED
BY ITS CHIEF SECRETARY, THIRUVANANTHAPURAM.

2. THE COMMISSIONER OF LAND REVENUE,
PUBLIC OFFICE BUILDING, MUSEUM JUNCTION,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1	TRUE COPY OF THE COMMON JDUGMENT IN CRL.A. NO.785 AND 811 OF 1999 DATED 13.9.2006.
EXT.P2	TRUE COPY OF THE REPRESENTATION DATED 11.10.2006 PREFERRED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.
EXT.P3	TRUE COPY OF ORDER NO.LR(D)1-34010/99 TD.21.2.2000 OF THE 2ND RESPONDENT.
EXT.P4	TRUE COPY OF G.P.(0)NO.28/2003/P&ARD DTD. THIRUVANANTHAPURAM 18.9.2003.

TRUE COPY

P.A.TO JUDGE

V.GIRI,J.

W.P.(C) No. 15690 of 2007

Dated this the 1st day of October, 2007

JUDGMENT

The petitioner was dismissed from service as per Ext.P3 Order dated 21.2.2000, on the basis of conviction on a charge under Sections 7, 13(1)(d) and 13(2) of the Prevention of Corruption Act. Subsequently, petitioner's appeal as Criminal Appeal No.785 of 1999 was allowed by this Court as per Ext.P1 judgment dated 13.9.2006. In as much as the conviction has been set aside, the petitioner sought for reinstatement in service in terms of Rule 18(b) of the Kerala Civil Services (Classification, Control and Appeal) Rules 1960. Petitioner's application in that behalf, Ext.P2, is pending before the appointing authority, the Commissioner of Land Revenue.

2. Having heard the learned counsel for the petitioner and the learned Government Pleader, the writ petition is disposed of directing the second respondent to consider Ext.P2 and take a decision thereon, in the light of Ext.P1 judgment within a period of three weeks from the date of receipt of a copy of this judgment.

V.GIRI, JUDGE

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